

DECLARATION AND POWER OF ATTORNEY

COPY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **SYSTEMS AND METHODS FOR ELECTROSURGICAL TISSUE CONTRACTION WITHIN THE SPINE** the specification of which X is attached hereto or ___ was filed on ___ as Application No. ___ and was amended on ___ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes ___ No ___

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
08/690,159	July 18, 1996	_ Patented <u>X</u> Pending _ Abandoned
08/942,580	October 2, 1997	_ Patented <u>X</u> Pending _ Abandoned
<i>unassigned</i>	December 15, 1997	_ Patented <u>X</u> Pending _ Abandoned
		_ Patented _ Pending _ Abandoned
		_ Patented _ Pending _ Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

John T. Raffle, Reg. No. 38,585

Jim Heslin, Reg. No. 29,541

Send Correspondence to:

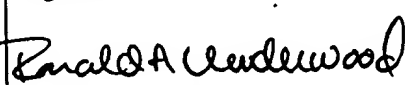


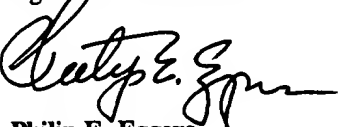
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I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Ronald A. Underwood	Signature of Inventor 2  Terry S. Davison	Signature of Inventor 3  Hira V. Thapliyal
Date 2-19-98	Date 2-19-98	Date 2-19-98
Signature of Inventor 4  Philip E. Eggers		
Date 2-20-98	Date	Date

Title: SYSTEMS AND METHODS FOR ELECTROSURGICAL TISSUE CONTRACTION WITHIN THE SPINE

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Date 2-19-98